

REMARKS/ARGUMENTS

Claims 1, 3-5, 7-12, 14, 15, 17-52 and 54-59 are pending of which claims 7, 8, 11, 12, 15, 17-19, 23, 24, 27-29, 52, 54, 57 and 58 are withdrawn. Claims 2, 6, 13, 16 and 53 are cancelled. Claim 59 is new.

Applicants have amended claim 12 to depend on claim 1 rather than depend on withdrawn claim 11. Applicants believe that claim 12 now reads on the elected Species V, FIG. 12. Applicants have also amended claims 23 and 24 to depend on claim 1 rather than depend on withdrawn claim 15. Applicants believe that claims 23 and 24, and claims 57 and 58, which depend on claim 24 are now readable on the elected Species V, FIG. 12. Applicants request that claims 12, 23, 24, 57 and 58 are joined with the claims that read on Species V, FIG. 12.

Claims 3-5, 13-16, 25-29, 43, 44 and 51-53 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants have canceled claims 13 and 53. Applicants have amended claims 3, 4, 5, 25, 43, 44 and 51 to correct antecedent basis errors or clarify the language thereof to overcome the indefiniteness rejections discussed on pages 3 and 4 of the Office action.

Claims 1-6, 13, 14, 31-33, 39, 40, 42-45 and 53 have been rejected under 35 U.S.C. 102(b) over Kaye (US 4,818,014). Applicants have cancelled claims 2, 6, 13, 16 and 53. Applicants have amended claim 1 to include the limitations of claims 2, 6, 13 and 16. Because the limitations of claim 16 have been incorporated into claim 1 and claim 16 is not rejected over Kaye, Applicants believe that claims 1-5, 14, 31-33, 39, 40 and 42-45 are patentable over Kaye.

Claims 1, 5, 13, 14, 16, 20-22 and 51 are rejected under 35 U.S.C. 102(b) as being anticipated by Morihara (US 5,649,405). Applicants have cancelled claims 2, 6, 13 and 16. Applicants have amended claim 1 to include the limitations of claims 2, 6, 13 and 16. Because the limitations of claims 2 and 6 have been incorporated into claim 1 and claims 2 and 6 are not

AppIn No. 10/560,140
Amdt date April 16, 2009
Reply to Office action of January 16, 2009

rejected over Morihara, Applicants believe that claims 1, 5, 14, 16, 20-22 and 51 are patentable over Morihara.

Claims 1-6, 13, 14, 20-22, 31-34, 39, 40, 42-44 and 53 are rejected under 35 U.S.C. 102(b) as being anticipated by Maass (US 2001/0033062). Applicants have cancelled claims 2, 6, 13, 16 and 53. Applicants have amended claim 1 to include the limitations of claims 2, 6, 13 and 16. Because the limitations of claim 16 have been incorporated into claim 1 and claim 16 is not rejected over Maass, Applicants believe that claims 1-6, 13, 14, 20-22, 31-34, 39, 40, and 42-44 are patentable over Maass.

Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maass. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maass in view of Bright (US 4,858,385). Claims 25, 26 and 46-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maass in view of Fukumoto (US 6,231,112). Because claim 1 is patentable over Maass as discussed above and claims 25, 26, 36, 37 and 46-50 depend on claim 1 either directly or through intervening claims, claims 25, 26, 36, 37 and 46-50 are patentable over Maass considered alone or in view of Bright or Fukumoto.

Claims 1-6, 9, 10, 13, 14, 16, 20-22, 30-33, 35, 38-41, 43, 44, 53, 55 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imura (US 4,651,470) in view of Thompson (US 4,916,864). Claim 1 has been amended to recite "detachable fixings in a region of the interface for connecting the unit carrier to the outer module and wherein at least one of the fixings is covered by the sealing member; and wherein one of the sealing member and a section of the sealing member is movable so that the fixings are no longer covered and are exposed for actuation by a tool." In contrast, Imura and Thompson fail to teach or suggest the noted limitations of claim 1.

Referring to FIGS. 5 and 6 of Imura, which are reproduced below and modified by Applicants, bolt seats 3f are provided by forming semi-circular recesses 3g at peripherally spaced apart portions above the flange 3e. Connecting bolts 3d are inserted through the bolt seats 3f and

the bosses 11a. A weather strip 37 is attached to the periphery of the inner panel 3. *See Imura at col. 3, lines 57-65.*

FIG. 5

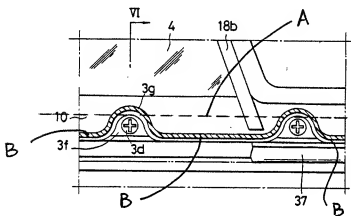
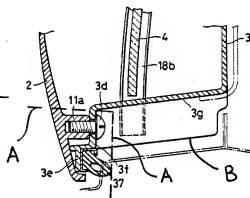


FIG. 6



As shown in FIGS. 5 and 6, Imura does not teach or suggest the weather strip 37 covering the bolts 3d where the weather strip 37 or a section thereof is moveable so that the bolts 3d are no longer covered.

Referring to FIGS. 3 and 6 of Thompson, the flexible gasket 23 or a section thereof is not moveable so that the heads 27 of the fasteners 26 are no longer covered. Thompson discloses that “[t]he inner end 43 of the base wall 41 is provided with a lateral, hook-shaped mounting projection 51 which cooperates with the mounting projection 46 to secure the flexible gasket to the retainer 22 in an assembled gasket system.” *See Thompson at col. 4, lines 3-7 (emphasis added).* Referring to FIGS. 4 and 5, Thompson further discloses that “to ensure a firm gripping or mounting of the gasket, such inner wall is provided with a plurality of sawtooth-like ribs 30 which interlock with the hook-shaped portion to resist outward movement thereof.” *See Thompson at col. 4, lines 49-53 (emphasis added).*

According to Thompson, the flexible gasket 23 is to be secured to the retainer 22 with the hook-shaped projections 51. Thus, the objective of Thompson is to have the flexible gasket 23 be fixed and incapable of moving. As further indicated in Thompson, to further ensure that the

Appln No. 10/560,140
Amdt date April 16, 2009
Reply to Office action of January 16, 2009

gasket does not move and is secured to the retainer, sawtooth-like ribs 30 are provided on the inner wall of the retainer 22.

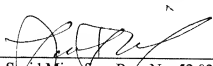
Therefore, Applicants submit that both Imura and Thompson do not teach or suggest "detachable fixings in a region of the interface for connecting the unit carrier to the outer module and wherein at least one of the fixings is covered by the sealing member; and wherein one of the sealing member and a section of the sealing member is movable so that the fixings are no longer covered and are exposed for actuation by a tool" as recited in claim 1.

Furthermore, Imura cannot be modified by replacing the weather strip 37 with the flexible gasket 23 of Thompson. As shown in the above FIGS. 5 and 6 of Imura, replacing the weather strip 37 with a gasket such as the one taught in Thompson in order to cover the bolts 3d would place the gasket at the dotted line A in order for the gasket to extend into the recesses 3g. However, such a gasket could not be used in the device of Imura because the gasket could not extend beyond the parts B of the flange 3. Accordingly, a gasket as taught in Thompson could not be used in the device of Imura in order to cover the bolts 3d.

For the foregoing reasons, Applicants believe that claims 1, 3-5, 9, 10, 14, 16, 20-22, 30-33, 35, 38-41, 43, 44, 55 and 56 are patentable over Imura in view of Thompson.

For the foregoing reasons, Applicants believe that the claims are in condition for allowance.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Said Mirsafi, Reg. No. 52,035
Telephone: 626/795-9900

SM/rmw

RMW IRV1116820.2-*04/16/09 4:57 PM